

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN

DAWN SIMS,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Hon. Ellen S. Carmody

Case No. 1:16-cv-00356

REPORT AND RECOMMENDATION

This matter was filed on April 6, 2016. A notice regarding case assignment and deficiency was entered on April 7, 2016, instructing plaintiff that the \$400 filing fee or a motion to proceed in forma pauperis was due immediately and that "failure to comply may result in dismissal of the action." (ECF No. 2). Plaintiff did not respond. On April 15, 2016, the undersigned entered an order to show cause by April 22, 2016, why this matter should not be dismissed. (ECF No. 3). Again, plaintiff did not respond.

As such, the undersigned hereby recommends that this matter be dismissed pursuant to Fed. R. Civ. P. 41(b) and W.D.Mich. L.Civ.R. 41.1 for want of prosecution and failure to comply with the rules and orders of this court. Timely objections to this Report and Recommendation shall be considered plaintiff's final opportunity to show cause why this matter should not be dismissed.

Date: May 20, 2016

/s/ Ellen S. Carmody
ELLEN S. CARMODY
U.S. Magistrate Judge

OBJECTIONS to this Report and Recommendation must be filed with the Clerk of Court within 14 days of the date of service of this notice. 28 U.S.C. § 636(b)(1)(C). Failure to file objections within the specified time waives the right to appeal the District Court's order. *Thomas v. Arn*, 474 U.S. 140, 155 (1985); *United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981).